

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S1609–S1633*

**Measures Introduced:** Forty-one bills and eight resolutions were introduced, as follows: S. 1550–1590, S.J. Res. 26–27, and S. Res. 207–212.

**Pages S1623–25**

#### Measures Reported:

S. 243, to require the Commissioner of U.S. Customs and Border Protection to establish procedures for conducting maintenance projects at ports of entry at which the Office of Field Operations conducts certain enforcement and facilitation activities. (S. Rept. No. 118–23)

S. 310, to establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal. (S. Rept. No. 118–24)

S. 679, to amend chapter 8 of title 5, United States Code, to require Federal agencies to submit to the Comptroller General of the United States a report on rules that are revoked, suspended, replaced, amended, or otherwise made ineffective. (S. Rept. No. 118–25)

S. 717, to improve plain writing and public experience. (S. Rept. No. 118–26)

S. 794, to require a pilot program on the participation of non-asset-based third-party logistics providers in the Customs-Trade Partnership Against Terrorism. (S. Rept. No. 118–27)

**Page S1622**

#### Measures Passed:

**Critical Habitat Congressional Review Act:** By 51 yeas to 49 nays (Vote No. 122), Senate passed S.J. Res. 23, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Marine Fisheries Service relating to “Endangered and Threatened Wildlife and Plants; Regulations for Listing Endangered and Threatened Species and Designating Critical Habitat”.

**Pages S1609–14**

**Northern Long-Eared Bat Congressional Review Act:** By 51 yeas to 49 nays (Vote No. 123), Senate passed S.J. Res. 24, providing for congressional disapproval under chapter 8 of title 5, United States

Code, of the rule submitted by the United States Fish and Wildlife Service relating to “Endangered and Threatened Wildlife and Plants; Endangered Species Status for Northern Long-Eared Bat”.

**Pages S1609–14**

**King Kamehameha Day Lei Draping Ceremony:** Senate agreed to H. Con. Res. 35, authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate a King Kamehameha Day Lei Draping Ceremony.

**Page S1632**

**24th Annual National Charter Schools Week:** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 195, congratulating the students, parents, teachers, and leaders of charter schools across the United States for making ongoing contributions to education, and supporting the ideals and goals of the 24th annual National Charter Schools Week, to be held May 7 through May 13, 2023, and the resolution was then agreed to.

**Pages S1632–33**

**Congratulating the Louisiana State University Fighting Tigers Women’s Basketball Team:** Senate agreed to S. Res. 210, congratulating the Louisiana State University Fighting Tigers women’s basketball team for winning the 2023 National Collegiate Athletic Association Division I Women’s Basketball National Championship.

**Page S1633**

**Public Service Recognition Week:** Senate agreed to S. Res. 211, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition Week.

**Page S1633**

**Commemorating Women Naval Aviators:** Senate agreed to S. Res. 212, commemorating 50 years of women serving as naval aviators in the United States.

**Page S1633**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13611 of May 16, 2012, with respect to Yemen; which was referred

to the Committee on Banking, Housing, and Urban Affairs. (PM–12) **Page S1622**

**Garcia Nomination—Agreement:** Senate resumed consideration of the nomination of Bradley N. Garcia, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit. **Pages S1614–20**

During consideration of this nomination today, Senate also took the following action:

By 54 yeas to 41 nays (Vote No. EX. 124), Senate agreed to the motion to close further debate on the nomination. **Pages S1614–20**

A unanimous-consent agreement was reached providing that Senate resume consideration of the nomination, post-cloture, at approximately 3 p.m., on Monday, May 15, 2023; and that all post-cloture time be considered expired at 5:30 p.m. **Page S1633**

**Nominations Confirmed:** Senate confirmed the following nominations:

Routine lists in the Coast Guard. **Page S1633**

**Executive Communications:** **Page S1622**

**Executive Reports of Committees:** **Pages S1622–23**

**Additional Cosponsors:** **Pages S1625–26**

**Statements on Introduced Bills/Resolutions:** **Pages S1626–32**

**Additional Statements:** **Page S1622**

**Authorities for Committees to Meet:** **Page S1632**

**Record Votes:** Three record votes were taken today. (Total—124) **Pages S1613–14**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 3:49 p.m., until 3 p.m. on Monday, May 15, 2023. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1633.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: DEPARTMENT OF DEFENSE

*Committee on Appropriations:* Subcommittee on Defense concluded a hearing to examine proposed budget estimates and justification for fiscal year 2024 for the Department of Defense, after receiving testimony from Lloyd J. Austin III, Secretary, and General Mark A. Milley, USA, Chairman of the Joint Chiefs of Staff, both of the Department of Defense.

### APPROPRIATIONS: DEPARTMENT OF EDUCATION

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies concluded a hearing to examine pro-

posed budget estimates and justification for fiscal year 2024 for the Department of Education, after receiving testimony from Miguel Cardona, Secretary of Education.

### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported the nominations of Jared Bernstein, of Virginia, to be Chairman of the Council of Economic Advisers, Ron Borzekowski, of Maryland, to be Director, Office of Financial Research, Department of the Treasury, and Solomon Jeffrey Greene, of the District of Columbia, and David Uejio, of California, both to be an Assistant Secretary of Housing and Urban Development.

### CANNABIS BANKING

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine cannabis banking challenges of small businesses and workers, including S. 1323, to create protections for financial institutions that provide financial services to State-sanctioned marijuana businesses and service providers for such businesses, after receiving testimony from Senators Merkley and Daines; Ademola Oyefeso, United Food and Commercial Workers International Union, Washington, D.C.; Michelle Sullivan, Dama Financial, San Francisco, California; Kevin A. Sabet, Smart Approaches to Marijuana, New Haven, Connecticut; and Cat Packer, Cannabis Regulators of Color Coalition, Denver, Colorado, on behalf of the Drug Policy Alliance.

### UNIVERSAL SERVICE

*Committee on Commerce, Science, and Transportation:* Subcommittee on Communications, Media, and Broadband concluded a hearing to examine the state of universal service, after receiving testimony from Timothy Chavez, Cuba Independent School District, Cuba, New Mexico; Angie Kronenberg, INCOMPAS, Silver Spring, Maryland; Daniel A. Lyons, Boston College Law School, Newton, Massachusetts, on behalf of the American Enterprise Institute; Denny Law, Golden West Telecommunications Cooperative, Inc., Wall, South Dakota; and Greg Guice, Public Knowledge, Arlington, Virginia.

### PERMITTING PROCESS REFORM

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine opportunities for Congress to reform the permitting process for energy and mineral projects, after receiving testimony from Jason Grumet, American Clean Power Association, Rich Nolan, National Mining Association, and Elizabeth H. Shuler, AFL–CIO, all of Washington, D.C.; and Paul Ulrich, Jonah Energy LLC, Pinedale, on behalf of the Wyoming Energy Authority.

**CROSS-BORDER PRESCRIPTIONS**

*Committee on Finance:* Committee concluded a hearing to examine cross-border prescriptions, focusing on pharmaceutical manufacturers and United States international tax policy, after receiving testimony from Brad W. Setser, Council on Foreign Relations, Daniel Bunn, Tax Foundation, and William H. Morris, PwC, all of Washington, D.C.; and Diane M. Ring, Boston College Law School, Boston, Massachusetts.

**BUSINESS MEETING**

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported the following business items:

S. 1067, to amend the Federal Food, Drug, and Cosmetic Act with respect to citizen petitions, with an amendment in the nature of a substitute;

S. 1114, to amend the Federal Food, Drug, and Cosmetic Act with respect to the 180-day exclusivity period, with an amendment in the nature of a substitute;

S. 1214, to set forth limitations on exclusive approval or licensure of drugs designated for rare diseases or conditions; and

S. 1339, to provide for increased oversight of entities that provide pharmacy benefit management services on behalf of group health plans and health insurance coverage, with an amendment in the nature of a substitute.

**BUSINESS MEETING**

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 1199, to combat the sexual exploitation of children by supporting victims and promoting accountability and transparency by the tech industry, with an amendment in the nature of a substitute;

S. 412, to provide that it is unlawful to knowingly distribute private intimate visual depictions with reckless disregard for the individual's lack of consent to the distribution, with an amendment in the nature of a substitute;

S. 1170, to reauthorize and update the Project Safe Childhood program, with an amendment in the nature of a substitute; and

The nominations of Charnelle Bjelkengren, to be United States District Judge for the Eastern District of Washington, S. Kato Crews, to be United States District Judge for the District of Colorado, Jeremy C. Daniel, to be United States District Judge for the Northern District of Illinois, Marian F. Gaston, to be United States District Judge for the Southern District of California, Brendan Abell Hurson, to be United States District Judge for the District of Maryland, and Darrel James Papillion, to be United States District Judge for the Eastern District of Louisiana.

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# House of Representatives

***Chamber Action***

**Public Bills and Resolutions Introduced:** 77 public bills, H.R. 3202–3278; and 13 resolutions, H.J. Res. 61–64; H. Con. Res. 42; and H. Res. 389–396, were introduced. **Pages H2306–11**

**Additional Cosponsors:** **Pages H2314–15**

**Reports Filed:** Reports were filed today as follows:

H.R. 498, to amend title V of the Public Health Service Act to secure the suicide prevention lifeline from cybersecurity incidents, and for other purposes, with an amendment (H. Rept. 118–52); and

H.R. 801, to amend title III of the Public Health Service Act to provide for suspension of entries and imports from designated countries to prevent the spread of communicable diseases and import into the United States of certain controlled substances (H. Rept. 118–53). **Page H2306**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative C. Scott Franklin (FL) to act as Speaker pro tempore for today. **Page H2249**

**Recess:** The House recessed at 10:50 a.m. and reconvened at 11 a.m. **Page H2256**

***Secure the Border Act of 2023:*** The House passed H.R. 2, to secure the borders of the United States, by a yea-and-nay vote of 219 yeas to 213 nays, Roll No. 209. Consideration began yesterday, May 10th.

**Pages H2258–81, H2293–94**

Rejected the Garcia (TX) motion to recommit the bill to the Committee on the Judiciary, by a yea-and-nay vote of 211 yeas to 221 nays, Roll No. 208.

**Pages H2293–94**

H. Res. 383, the rule providing for consideration of the bills (H.R. 2) and (H.R. 1163) was agreed to yesterday, May 10th.

**Protecting Taxpayers and Victims of Unemployment Fraud Act:** The House passed H.R. 1163, to provide incentives for States to recover fraudulently paid Federal and State unemployment compensation, by a recorded vote of 230 ayes to 200 noes, Roll No. 211.

Pages H2281–93, H2294–95

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in H. Rept. 118–51, shall be considered as adopted.

Page H2281

Rejected the Sykes motion to recommit the bill to the Committee on Ways and Means, by a yea-and-nay vote of 210 yeas to 221 nays, Roll No. 210.

Pages H2294–95

H. Res. 383, the rule providing for consideration of the bills (H.R. 2) and (H.R. 1163) was agreed to yesterday, May 10th.

**Suspension—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measure. Consideration began Tuesday, May 9th.

**Testing, Rapid Analysis, and Narcotic Quality Research Act:** H.R. 1734, amended, to require coordinated National Institute of Standards and Technology science and research activities regarding illicit drugs containing xylazine, novel synthetic opioids, and other substances of concern, by a  $\frac{2}{3}$  yea-and-nay vote of 425 yeas with none voting “nay”, Roll No. 212.

Pages H2295–96

**Board of Visitors to the United States Military Academy—Appointment:** The Chair announced the Speaker’s appointment of the following Member on the part of the House to the Board of Visitors to the United States Military Academy: Representative Ryan

Page H2300

**Meeting Hour:** Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 12 p.m. on Monday, May 15th for Morning Hour debate.

Page H2300

**Presidential Message:** Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13611 with respect to the Yemen is to continue in effect beyond May 16, 2023—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 118–40).

Page H2300

**Quorum Calls Votes:** Four yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H2293, H2293–94, H2294–95, H2295, and H2295–96.

**Adjournment:** The House met at 10 a.m. and adjourned at 5:35 p.m.

## Committee Meetings

### MISCELLANEOUS MEASURES

*Committee on Agriculture:* Full Committee held a markup on H.R. 662, the “Block Grant Assistance Act of 2023”; H.R. 1450, the “Treating Tribes and Counties as Good Neighbors Act”; H.R. 1713, the “DOE and USDA Interagency Research Act”; H.R. 1480, the “Beagle Brigade Act of 2023”; and H.R. 1697, the “Promoting Precision Agriculture Act of 2023”. H.R. 662, H.R. 1450, and H.R. 1697 were ordered reported, without amendment. H.R. 1713, and H.R. 1480 were ordered reported, as amended.

### STAKEHOLDER PERSPECTIVES ON AGRICULTURAL TRADE

*Committee on Agriculture:* Subcommittee on Nutrition, Foreign Agriculture, and Horticulture held a hearing entitled “Stakeholder Perspectives on Agricultural Trade”. Testimony was heard from public witnesses.

### EXPOSING THE WOKE, WASTEFUL, AND BLOATED BUREAUCRACY

*Committee on the Budget:* Full Committee held a hearing entitled “Exposing the Woke, Wasteful, and Bloated Bureaucracy”. Testimony was heard from public witnesses.

### EXAMINING AMERICA’S WORKFORCE CHALLENGES: LOOKING FOR WAYS TO IMPROVE SKILLS DEVELOPMENT

*Committee on Education and Workforce:* Subcommittee on Higher Education and Workforce Development held a hearing entitled “Examining America’s Workforce Challenges: Looking for Ways to Improve Skills Development”. Testimony was heard from public witnesses.

### PREPARING FOR AND RESPONDING TO FUTURE PUBLIC HEALTH SECURITY THREATS

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled “Preparing for and Responding to Future Public Health Security Threats”. Testimony was heard from Dawn O’Connell, Assistant Secretary for Preparedness and Response, Administration for Strategic Preparedness and Response, Department of Health and Human Services; Rochelle P. Walensky, M.D., Director, U.S. Centers for Disease Control and Prevention, and Administrator, Agency for Toxic Substances and Disease Registry, Department of Health and Human Services; Robert M. Califf, M.D., Commissioner, U.S. Food and Drug Administration, Department of Health and Human Services; Mary Denigan-Macauley, Director, Health Care, Government Accountability Office; and public witnesses.

**EXAMINING THE ROOT CAUSES OF DRUG SHORTAGES: CHALLENGES IN PHARMACEUTICAL DRUG SUPPLY CHAINS**

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing entitled “Examining the Root Causes of Drug Shortages: Challenges in Pharmaceutical Drug Supply Chains”. Testimony was heard from public witnesses.

**FISCAL YEAR 2024 DEPARTMENT OF ENERGY BUDGET REQUEST**

*Committee on Energy and Commerce:* Subcommittee on Energy, Climate, and Grid Security held a hearing entitled “Fiscal Year 2024 Department of Energy Budget Request”. Testimony was heard from Jennifer Granholm, Secretary, Department of Energy.

**OVERSIGHT OF SILICON VALLEY BANK AND SIGNATURE BANK: GAO’S PRELIMINARY REVIEW**

*Committee on Financial Services:* Subcommittee on Oversight and Investigations held a hearing entitled “Oversight of Silicon Valley Bank and Signature Bank: GAO’s Preliminary Review”. Testimony was heard from Michael Clements, Director, Financial Markets and Community Investment, Government Accountability Office.

**REVIEWING THE BUREAU OF INDUSTRY AND SECURITY, PART I: U.S. EXPORT CONTROLS IN AN ERA OF STRATEGIC COMPETITION**

*Committee on Foreign Affairs:* Subcommittee on Oversight and Accountability held a hearing entitled “Reviewing the Bureau of Industry and Security, Part I: U.S. Export Controls in an Era of Strategic Competition”. Testimony was heard from public witnesses.

**CENSORSHIP LAUNDERING: HOW THE U.S. DEPARTMENT OF HOMELAND SECURITY ENABLES THE SILENCING OF DISSENT**

*Committee on Homeland Security:* Subcommittee on Oversight, Investigations, and Accountability held a hearing entitled “Censorship Laundering: How the U.S. Department of Homeland Security Enables the Silencing of Dissent”. Testimony was heard from public witnesses.

**AMERICAN CONFIDENCE IN ELECTIONS: PROTECTING POLITICAL SPEECH**

*Committee on House Administration:* Full Committee held a hearing entitled “American Confidence in Elections: Protecting Political Speech”. Testimony was heard from public witnesses.

**LEGISLATIVE MEASURE**

*Committee on Natural Resources:* Subcommittee on Energy and Mineral Resources held a hearing on H. Con. Res. 34, expressing disapproval of the withdrawal by the Secretary of the Interior of approximately 225,504 acres of National Forest System lands in Cook, Lake, and Saint Louis Counties, Minnesota, from disposition under the United States mineral and geothermal leasing laws; and legislation on the Superior National Forest Restoration Act. Testimony was heard from public witnesses.

**EXAMINING THE PRESIDENT’S FY 2024 BUDGET REQUEST FOR THE INDIAN HEALTH SERVICE**

*Committee on Natural Resources:* Subcommittee on Indian and Insular Affairs held a hearing entitled “Examining the President’s FY 2024 Budget Request for the Indian Health Service”. Testimony was heard from Roselyn Tso, Director, Indian Health Service, Department of Health and Human Services.

**THE BIDEN ADMINISTRATION’S EXECUTIVE OVERREACH AND ITS IMPACT ON AMERICAN ENERGY INDEPENDENCE**

*Committee on Natural Resources:* Subcommittee on Oversight and Investigations held a hearing entitled “The Biden Administration’s Executive Overreach and its Impact on American Energy Independence”. Testimony was heard from public witnesses.

**INVESTIGATING PANDEMIC IMMUNITY: ACQUIRED, THERAPEUTIC OR BOTH**

*Committee on Oversight and Accountability:* Select Subcommittee on the Coronavirus Pandemic held a hearing entitled “Investigating Pandemic Immunity: Acquired, Therapeutic or Both”. Testimony was heard from public witnesses.

**STRENGTHENING THE FLEET: CHALLENGES AND SOLUTIONS IN NAVAL SURFACE SHIP CONSTRUCTION**

*Committee on Oversight and Accountability:* Subcommittee on National Security, the Border, and Foreign Affairs held a hearing entitled “Strengthening the Fleet: Challenges and Solutions in Naval Surface Ship Construction”. Testimony was heard from Rear Admiral Thomas J. Anderson, Program Executive Officer for Ships, U.S. Navy; and Rear Admiral Casey Moton, Program Executive Officer for Unmanned and Small Combatants, U.S. Navy.

**FDA OVERSIGHT PART II: RESPONSIBILITY FOR THE INFANT FORMULA SHORTAGE**

*Committee on Oversight and Accountability:* Subcommittee on Health Care and Financial Services

held a hearing entitled “FDA Oversight Part II: Responsibility for the Infant Formula Shortage”. Testimony was heard from Susan T. Mayne, Director, Center for Food Safety and Applied Nutrition, U.S. Food and Drug Administration, Department of Health and Human Services.

#### **AN OVERVIEW OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION BUDGET PROPOSAL FOR FISCAL YEAR 2024**

*Committee on Science, Space, and Technology:* Subcommittee on Environment held a hearing entitled “An Overview of the National Oceanic and Atmospheric Administration Budget Proposal for Fiscal Year 2024”. Testimony was heard from Richard W. Spinrad, Administrator, National Oceanic and Atmospheric Administration, Department of Commerce.

#### **REAUTHORIZING THE U.S. FIRE ADMINISTRATION AND FIRE GRANT PROGRAMS: EVALUATING EFFECTIVENESS AND PREPAREDNESS FOR MODERN CHALLENGES**

*Committee on Science, Space, and Technology:* Subcommittee on Research and Technology held a hearing entitled “Reauthorizing the U.S. Fire Administration and Fire Grant Programs: Evaluating Effectiveness and Preparedness for Modern Challenges”. Testimony was heard from Lori Moore-Merrell, U.S. Fire Administrator, U.S. Fire Administration, Federal Emergency Management Agency; Kevin Reardon, State Fire Marshall, Ohio; and public witnesses.

#### **LEVELING THE PLAYING FIELD: THE STATE OF SMALL BUSINESS CONTRACTING**

*Committee on Small Business:* Subcommittee on Contracting and Innovation held a hearing entitled “Leveling the Playing Field: The State of Small Business Contracting”. Testimony was heard from public witnesses.

#### **ASSESSING THE SHORTAGE OF UNITED STATES MARINERS AND RECRUITMENT AND RETENTION IN THE UNITED STATES COAST GUARD**

*Committee on Transportation and Infrastructure:* Subcommittee on Coast Guard and Maritime Transpor-

ation held a hearing entitled “Assessing the Shortage of United States Mariners and Recruitment and Retention in the United States Coast Guard”. Testimony was heard from Vice Admiral Paul Thomas, Deputy Commandant for Mission Support, U.S. Coast Guard; Rear Admiral Ann Phillips, U.S. Navy (Ret.), Administrator, U.S. Maritime Administration; Heather MacLeod, Director, Homeland Security and Justice, Government Accountability Office; and a public witness.

#### **GETTING BACK ON TRACK: EXPLORING RAIL SUPPLY CHAIN RESILIENCE AND CHALLENGES**

*Committee on Transportation and Infrastructure:* Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing entitled “Getting Back on Track: Exploring Rail Supply Chain Resilience and Challenges”. Testimony was heard from public witnesses.

#### **SEXUAL ASSAULT**

*Permanent Select Committee on Intelligence:* Subcommittee on Central Intelligence Agency held a hearing entitled “Sexual Assault”. This hearing was closed.

### *Joint Meetings*

No joint committee meetings were held.

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#### **COMMITTEE MEETINGS FOR MONDAY, MAY 15, 2023**

*(Committee meetings are open unless otherwise indicated)*

##### **Senate**

No meetings/hearings scheduled.

##### **House**

*Committee on Rules,* Full Committee, hearing on H.R. 2494, the “POLICE Act of 2023”; and H.R. 3091, the “Federal Law Enforcement Officer Service Weapon Purchase Act”, 5 p.m., H-313 Capitol.

*Next Meeting of the SENATE*

3 p.m., Monday, May 15

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12 noon, Monday, May 15

## Senate Chamber

**Program for Monday:** Senate will resume consideration of the nomination of Bradley N. Garcia, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, post-cloture, and vote on confirmation thereon at 5:30 p.m.

## House Chamber

**Program for Monday:** To be announced.

## Extensions of Remarks, as inserted in this issue

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